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Attorneys for Defendant
City of Fountain Valley

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

DISH WIRELESS, L.L.C., a Colorado
limited liability company,

Plaintiff/Petitioner,

v.

CITY OF FOUNTAIN VALLEY, a
California municipal corporation,

Defendant/Respondent.

Case No.: 8:23-cv-02069 RGK(JDEx)

**DECLARATION OF COLIN
BURNS IN RESPONSE TO ORDER
TO SHOW CAUSE FOLLOWING
SCHEDULING CONFERENCE**

I, Colin Burns, declare:

1. I am the attorney of record for Defendant/Respondent City of Fountain Valley in this action.
2. Each of the following facts is stated upon personal knowledge and, if called to testify, I could and would testify competently to the same.
3. I was aware a Scheduling Conference was set for February 12, 2024, at 9:00 a.m., in the above-entitled matter.

1 4. I attempted to appear in person at that Scheduling Conference. Unfortunately,
2 due to an error on my part, I believed the Scheduling Conference was being held at
3 the United States District Court in Santa Ana.

4 5. I went to the United States District Court in Santa Ana the morning of February
5 12, 2024 and, upon arrival, discovered I was at the wrong location.

6 6. I telephoned opposing counsel, Morgan Gallagher, Esq., who I am informed and
7 believe graciously relayed a message to her co-counsel, Jamie Sprague, Esq., that I
8 was at the wrong location.

9 7. I received the Order of the Court that same day notifying that an Order to Show
10 Cause and continued Scheduling Conference were set for February 26, 2024 at 9:00
11 a.m.

12 8. I apologize to the Court and Ms. Sprague for the inconvenience, and I will be
13 personally present at the United States District Court in *Los Angeles* for the continued
14 Scheduling Conference on February 26, 2024 at 9:00 a.m.

15 I declare under penalty of perjury under the laws of the United States that the
16 foregoing is true and correct.

17
18 Dated: February 13, 2024



Colin R. Burns
Declarant